

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

JI et al.

Appl. No. 09/017,715

Filed: February 3, 1998

For: **Breast Cancer Specific Gene 1**



Art Unit: 1642

Examiner: To Be Assigned

Atty. Docket: 1488.0810003

Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

It is hereby requested that the period for responding to the outstanding Notice to File Missing Parts of Application - Filing Date Granted be extended two months from May 12, 1998 to Sunday, July 12, 1998 by the filing of this Petition and fee payment.

The petition fee (37 C.F.R. § 1.17(a)) is believed to be \$400.00 for a two-month extension for a large entity. Fee payment is provided in our accompanying Check No. 22288. However, if extensions of time under 37 C.F.R. § 1.136 other than those provided herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this Petition is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


Kimberlin L. Morley
Attorney for Applicants
Registration No. 35,391

Date: July 13, 1998

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07/21/1998 MPEOPLES 0000026 09017715

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SKGF Rev. 1/26/98 clp

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL

Patent fees are subject to annual revision on October 1.

These are the fees effective October 1, 1997.

Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12.

See 37 C.F.R. §§ 1.27 and 1.28.

JUL 13 1998
PTO/SB/17
FEE TRANSMITTAL**Complete if Known**

Application Number	09/017,715
Filing Date	February 3, 1998
First Named Inventor	Ji et al.
Examiner Name	To Be Assigned
Group / Art Unit	1642
Attorney Docket Number	1488.0810003

TOTAL AMOUNT OF PAYMENT (\$ 1,648.00)

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number 19-0036
Deposit Account Name Sterne, Kessler, Goldstein & Fox P.L.L.C.

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance

2. Payment Enclosed: Check No. 22288

 Money Order Other*

*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

FEE CALCULATION**1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	790	201	395	Utility filing fee	790.00
106	330	206	165	Design filing fee	
107	540	207	270	Plant filing fee	
108	790	208	395	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1) (\$ 790.00)					

2. EXTRA CLAIM FEES

Extra	Fee from below	Fee Paid
Total Claims 15 - 20** = 0	X 22.00	= 0
Indep. Claims 7 - 3** = 4	X 82.00	= 328.00

Multiple Dependent Claims = 0

** or number previously paid, if greater; For Reissues, see below

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	22	203	11	Claims in excess of 20
102	82	202	41	Independent claims in excess of 3
104	270	204	135	Multiple dependant claim
108	82	209	41	**Reissue independent claims over original patent
110	22	210	11	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$ 328.00)				

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	400.00
117	950	217	475	Extension for reply within third month	
118	1,510	218	755	Extension for reply within fourth month	
128	2,060	228	1,030	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,320	241	660	Petition to revive - unintentional	
142	1,320	242	660	Utility issue fee (or reissue)	
143	450	243	225	Design issue fee	
144	670	244	335	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	790	246	395	Filing a submission after final rejection (37 CFR 1.129(a))	
149	790	249	395	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify):

Other fee (specify):

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 530.00)

Complete (if applicable)

SUBMITTED BY		Complete (if applicable)		
Typed or Printed Name		Kimberlin L. Morley		Reg. Number 35,391
Signature	Kimberlin L. Morley	Date July 13, 1998	Deposit Acct. User ID	19-0036